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Attorney Docket Number: WAA-248 C1  
Application No.: 10/650,213  
Filed: August 28, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Anthony C, Gilby  
Application No.: 10/650213  
Filed: August 28, 2003

Confirmation No. 7163  
Art Unit: 2877  
Examiner: Kara E. Geisel

For: Fluorescence Detector Geometry

MS Amendment  
Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE TO OUTSTANDING OFFICE ACTION**

Dear Sir:

In response to the Outstanding Office Action bearing a mailing date of September 29, 2005, Applicant introduces the following remarks. Reconsideration of the present Application is respectfully requested.

**I. Summary of the Office Action**

The outstanding office action is first non-final office action. The present application presents claims 1-29 for examination.

The Examiner contends Applicant can not claim priority under 35 USC Section 119 based on Applicant's PCT Application filed on March 1, 2002.

The Examiner has rejected claims 11 – 15, 17 – 19, 21 – 23 and 27 – 29 under 35 USC Section 103(a). The Examiner contends the subject matter of such claims is obvious over US Patent 5,444,807 to Liu (Lui) in view of US Patent 6,795,177 to Doyle (Doyle).

The Examiner has acknowledged that claims 1 – 10 and 16 are allowed over the art of record. And, claims 20, 24 – 26 are objected to as dependent from a rejected base claim, but would be allowable if rewritten in independent form.

Applicant will address each of the Examiners comments and concerns in the discussion that follows.